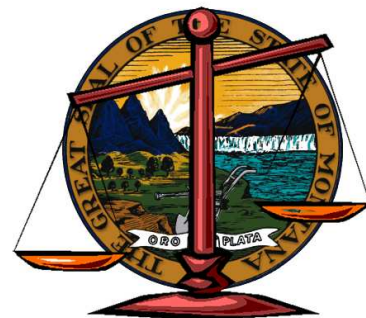


Public Defender News



Chief's Corner

Special points of interest:

- *Joslyn Hunt named Chief Appellate Defender*
- *Scott Spencer to head Major Crimes Unit*
- *Mike Sherwood elected chair of the Public Defender Commission*
- *See you at the Annual Meeting!*



Greetings to all who join with me in insuring the mission of the Office of the State Public Defender is met each and every day.

We are making a serious effort to send out a newsletter every quarter so that everyone can be more fully informed about what is happening in the system.

Our agency came out of the legislative session with a very challenging budget, but it is no better and no worse than all other state agencies. As you all are aware, we have asked everyone to join in the efforts to live within the budget. This has resulted in a number of lively and fruitful mitigation discussions with the central office, the regional deputies, public defender offices, and AFSCME. Working together is the only way we will have any success in living with this budget. The silver lining is that we are challenged to examine how we are doing everything from postage and

office supplies to training. Of course, the one thing that none of us will compromise on is the quality of representation we are providing to clients.

I am delighted to report that Joslyn Hunt is returning to the Appellate Office and will become the Chief Appellate Defender. Jim Wheelis has done an excellent job as our first Chief Appellate Defender. No one could have done a better job of putting together and managing a fine appellate office. Jim has chosen to step down as chief, but he will remain as an appellate defender until his retirement in December.

I would also like to thank Tara Veazey for her hard work as chair of the Public Defender Commission during this past year. The Commission will be chaired by Mike Sherwood this year. Fritz Gillespie will serve as vice-chair.

I hear every day about the excellent representation one of us has given to a client. Keep up the good work and fight on!

Randi

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4th Annual Meeting Set for October

OPD's 4th Annual Statewide Meeting and Training Conference will be held October 14-16, 2009 at the Helena Red Lion Inn. Highlights include "Defending Due Process in Trying Times," Wednesday's keynote address by Chief Federal Defender of Montana Tony Gallagher, and a three-part interrogation series on Thursday.

The annual meeting is not only a stellar educational opportunity, but a chance to meet and network with fellow public defenders from around the state. Please plan to join us for the awards dinner Wednesday evening, as well as for Thursday evening's Charity Poker Tournament.

A complete agenda is available on the OPD website (www.publicdefender.mt.gov).



*“Mickey’s
dedication to OPD
can never be
replaced.”*

In Memory of Mickey McGuire

By Ed Sheehy, Regional Deputy Public Defender

On March 24, 2008, Michel (Mickey) McGuire came to work as my Administrative Assistant in the Region 2 Regional Office. Sadly, on August 14, 2009, after a very courageous and difficult fight against cancer, Mickey passed away. She is and will be a tremendous loss to all the staff attorneys, support staff, and investigators in Region 2’s offices in Hamilton and Missoula.

Mickey was a tremendous asset to Region 2. Actually, she put her work ethic best, in her own words, when she wrote me a thank you note after being interviewed, by saying: “I work and interact well with people of all ages and from diverse backgrounds. I also enjoy working with the public and solving customer service issues. I take direction well, am also self-motivated and quick to learn. I can work on several projects simultaneously and have always had a great work ethic and am ethical in my approach on all levels. I am detail oriented, dislike loose ends and expect everyone to work as hard as I do. My perfectionistic tendencies make me want to master whatever is expected of me.”

This was all exemplified to me, when I spent 4 weeks in Hamilton, in June of 2008, trying a homicide case and everything I e-mailed her to do got done. This also was exemplified as her health unfortunately deteriorated and we had to order her home, in the hopes she would get better, and she called me every day, before ending up in the hospital, apologizing for not working and telling me she would be back shortly!!

Mickey’s dedication to OPD can never be replaced.

Comings and Goings



*Joslyn Hunt,
Chief Appellate Defender*

Things have been hopping in the HR department since the beginning of the fiscal year. As Randi mentioned, Joslyn Hunt will be returning to OPD as the Chief Appellate Defender, replacing Jim Wheelis who will retire in December. In Polson, Steve Eschenbacher takes on the Managing Attorney duties, replacing Noel Larrivee who didn’t *quite* retire, but is now working part-time as a line attorney out of Kalispell. More changes are attributed to the formation of the Major Crimes Unit (see separate story).

Here are other changes (as of September 9) by region:

Region 1

Additions: Jason Bryan, Attorney (Kalispell); Mary Leffers, Attorney (Kalispell); Brian West, Attorney (Polson)

Region 2

Additions: Lisa Chesebro, Legal Secretary (Missoula); Anita Driscoll, Administrative Assistant (Missoula); John Otway, Investigator, (Missoula); Tim Lohrmann, Attorney (Hamilton—relocated from Billings); Kelly Sather, Attorney (Missoula—relocated from the Appellate Office). Craig McKillop has been promoted to Office Manager in Missoula.

Departures: Sandi O’Brien, Administrative Assistant (Missoula); Regan Jameson, Attorney (Hamilton)

Region 4 (Helena)

Additions: Wendy Johnson, Attorney; Candida Quinn, Attorney

Departures: Greg Beebe, Attorney

Region 5 (Butte)

Additions: Daniel Miller, Attorney

Departures: Daniel Snedigar, Attorney

JustWare Training Underway

By Randi Hood

OPD has made it a priority to make JustWare, our core agency application and case management system, fully operational. The American University draft report identified several issues with our ability to collect and report data that will be solved with a renewed dedication to training in the JustWare environment. If we hope to be more successful in the future in obtaining funding for our agency, we will need everyone's help. Individuals are going to have to be patient and polite with the process.

Using the JustWare program is an integral part of our agency. The training sessions will not be optional, and attendance will be tracked. Our training will be a mix of live, webinar and pre-recorded resources. All sessions (except for the sessions at the Annual Meeting) will be available from your desktop. A new topic will be available each Monday. Contact Brian Smith or Heidi Henry if you need help accessing the training session.

Here is a list of upcoming and past training:

- September 11 – JW Policy Meeting with Regional Deputies
- Week of September 14 – Time Tracking (Attorneys)
- Week of September 21 – Judgments and Dispositions (Staff)
- Week of September 28 – Generating Docs and Filing Cabinet (Staff)
- Week of October 5 – Generating Reports (Attorneys)
- Week of October 12 – Indigency Questionnaire (Staff)
- Annual Meeting (October 14, 15, 16) 2 hours required of each attorney on all aspects of JW
- Week of October 19 – JW for Dummies (Attorneys and Staff)

Training will continue after this initial schedule is complete. The sessions will be recorded and available as a resource as needed. We will have a JustWare library that new hires will be required to watch as part of the orientation process to ensure that we have standardized use of our agency program.

Please direct any questions to Brian, Heidi, or your IT staff:

Brian Smith, attorney, 523-5140, bsmith@mt.gov
 Heidi Henry, staff admin, 582-2450, hhenry@mt.gov



*Our training will
be a mix of live,
webinar and pre-
recorded resources.*

Comings and Goings, continued

Region 8 (Bozeman)

Additions: Anne DeWolf, Attorney; Emily Judd, Attorney

Departures: Casey Moore, Attorney

Region 9 (Billings)

Additions: Britton Frisbie, Legal Secretary

Region 11 (Miles City)

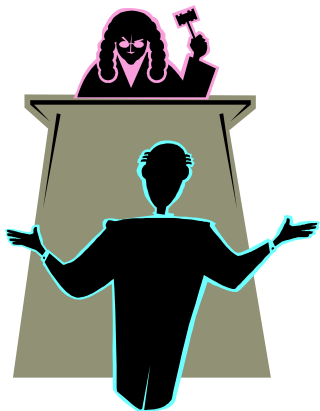
Departures: Erica Griffith, Legal Secretary

Appellate Office

Tammy Hinderman, Attorney, celebrates five years of state employment.

Central Office

Additions: Christopher Connor, Management Analyst (Contract Office)



*Third party costs
paid directly by a
contract attorney to a
vendor will not be
reimbursed by OPD.*

*The vendor must bill
OPD directly, and
most are already in
the state system.*

Contractor Corner

By Larry Murphy, Contract Manager

As always, I want to express my gratitude for the work you are doing. I know that Randi feels the same. It is my understanding that the Commission is still pursuing options for increasing the hourly contract rate, but our purse strings are controlled by our Legislature.

Lynn MacMillan, my more than able assistant, has advised that we have some housekeeping matters to review:

Third party costs. These are costs or expenses which some of you have been paying directly to the third party vendors. If you pay these costs directly to the vendor, **you will not be reimbursed by OPD.** The vendor must bill OPD directly. I am told that most are already OPD vendors who regularly bill OPD. If they are not currently OPD vendors, Lynn can help them get set up in the system.

Copy costs. OPD will reimburse you at the rate of .08 per copy, no more, no less. If you have a big copy job, use your Regional office's copy machine or get pre-approval.

Monthly billing. Please include only the time spent during the month being billed. Some of you will include time in August, for example, on your July bill. Lynn will then excise this time and ask you to submit it with your August bill. Please bill for only the time expended in the month being billed. This is very important in terms of our reporting.

Some of you have been receiving pre-populated claim forms, and I've noticed that sometimes I now get *two* forms—both the pre-populated form for case closing purposes, as well as the regular claim form. It was our hope to "lessen your load" by pre-populating your form. If it would help, we can send your pre-populated form in Excel format. If you would prefer receiving your form as an Excel file, please contact John Coulthard at jcoulthard@mt.gov and he'll set you up.

There will be some changes coming up regarding reporting on **closing cases**. As you know, we are required by the Legislature to provide data on our operations, including how cases are closed. The claim forms (both pre-populated and those on the website) will be revised to include the new information we are requesting.

I hope you are all registered to attend OPD's fourth annual statewide meeting and training conference to be held in Helena October 14–16. The Public Defender Commission (PDC) will also be meeting in Helena on October 14 and you are invited as always to attend all or part of the meeting and comment on OPD's operation during the public comment period. Watch the OPD website for the meeting location and a draft agenda in the next week or so.

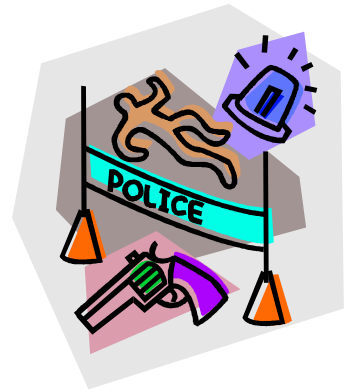
Finally, OPD has been receiving some press coverage recently about American University's draft recommendations regarding the public defender system. This study was requested by the PDC to identify areas where the new system could be improved. Both the recommendations and the PDC's response to the draft report can be found on our website.

Please direct questions and/or comments to me at lamurphy@mt.gov.

Thanks again for all your hard work.

Larry

While I am very excited about this new unit and our ability to continue raising the level of representation for our clients, I want to make it very clear that this unit will not be taking all of the major crimes from a region or a particular public defender office. Rather, the unit will supplement what is being done in the public defender offices. I think we will all find that there are more than enough defendants charged with serious offenses to go around!



“I think we will find that there are more than enough defendants charged with serious offenses to go around!”



Very Early in the Investigation

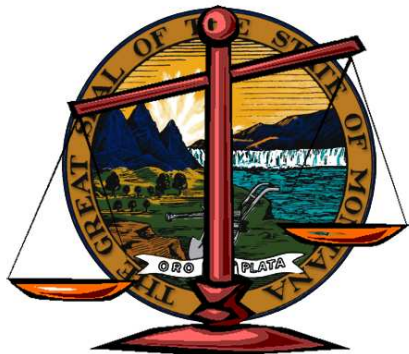
Congratulations!

Wendy Johnson, Helena
Anne DeWolf, Bozeman
Jesse Meyers, Billings
Brian West, Polson
Emily Judd, Bozeman
Jason Bryan, Kalispell
Jennifer Hurley, Appellate Office

Way to go!

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**ENSURING EQUAL ACCESS
TO JUSTICE STATEWIDE**

We're on the web!

www.publicdefender.mt.gov

On July 1, 2006 the Office of the State Public Defender assumed responsibility for statewide Public Defender Services, previously provided by cities and counties. These services are now provided statewide through Regional Offices of the State Public Defender. The mission of the Office of the State Public Defender is to ensure equal access to justice for the State's indigent and to provide appellate representation to indigent clients.

Randi M. Hood is the Chief Public Defender for the State of Montana. She was appointed by the Public Defender Commission, currently chaired by Mike Sherwood. For more information, please visit our website, www.publicdefender.mt.gov.

Eco Tips

Did you know that computers in the business sector unnecessarily waste \$1 billion worth of electricity a year? One computer left on all week during non-work hours uses as much energy as 16 computers use on an average 8 hour work day! So, make it a habit to turn off your computer when you leave for the day.

Each of us can make a difference by taking steps now to decrease environmental impacts from today's activities. Here are some other opportunities to 'tread lightly.' Do you have other ideas? Please send them on for a future newsletter.

- ◆ Print and copy documents double-sided when possible.
- ◆ If appropriate, use backs of old drafts and one-sided copies for photocopying, drafts, scrap paper or packing material.
- ◆ Save time and costs by using conference calls for meetings instead of traveling.
- ◆ Carpool or walk to work and meetings.
- ◆ Use reusable lunch containers and lunch bags.
- ◆ Use reusable cups for coffee and other beverages.
- ◆ Don't buy bottled water, especially if plastics recycling is not available in your town.
- ◆ RECYCLE! Go to http://www.deq.mt.gov/Recycle/Where-to-Recycle_New.asp for more information on resources in your community.

